



CITY OF PORTLAND, OREGON



Bureau of Police

Ted Wheeler, Mayor
Charles Lovell, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

Integrity • Compassion • Accountability • Respect • Excellence • Service

Executive Summary for Directive 0025.00, Procedural Justice

Introduction

The Portland Police Bureau developed a new directive, Directive 0025.00, Procedural Justice, to both to adopt a 2020 Portland Committee on Community-Engaged Policing (PCCEP) recommendation, and codify a principle the Bureau has been training members in since around 2018.

Put simply, procedural justice is fairness in processes. The directive defines the term in more detail and intentionally centers the importance of a person's perception of fairness. The Bureau's approach to procedural justice aims to reflect best practices and comes from the position that both individual and community perception of fairness in police interactions matters.

The Bureau posted a draft of the directive for First Universal Review in March – April 2022. The Bureau then posted a revised draft in June – July 2022. The final directive goes into effect November 24, 2022. Published October 25, 2022.

Public Comments

The Bureau received feedback during both universal review and public comment periods.

Several comments receiving during First Universal Review took issue with the proposed definition of procedural justice. The proposed definition was slightly inconsistent with current terminology used in Bureau training, which includes the principles of Voice, Neutrality, Respect, and Trustworthiness. The proposed definition used the term "impartiality" instead of "neutrality." The Bureau revised the definition for consistency with Bureau terminology and training. Another comment received during First Universal Review asserted that the definition of procedural justice was overly specific because of its reference to policing, noting that procedural justice is not a police-specific theory. The Bureau revised the definition to more accurately reflect the broader application of procedural justice and more closely mirror language most commonly used in academia.

The Bureau also received comments regarding de-escalation. Comments indicated that references to de-escalation seemed a bit out of place in the procedural justice directive. De-escalation is covered extensively in Directive 1010.00, Use of Force, and therefore references to de-escalation in the procedural justice directive were cut in order to streamline the directive.

The Bureau received comments during the Second Universal Review period indicating concern about certain provisions that were changed or removed from the draft posted during First Universal

Review. For example, the Bureau removed proposed language about limiting stops to a reasonable amount of time. While removing that language may appear to lessen proposed restrictions on stops, the proposed language was actually overly permissive and did not adequately reflect limitations placed on traffic stops under Oregon law. For that reason, and because the topic is better addressed in Directive 0650.00, Searches, Seizures, and Inventories, the Bureau removed the provision from the procedural justice directive.

The Bureau also received several comments about changes to a proposed policy line regarding officer responsibilities when people are free to leave. The final directive includes a requirement that Bureau members tell persons when they are free to leave, when asked. An earlier draft, posted during First Universal Review, seemingly applied that requirement to all interactions.

Several commenters advocated that officers should make this notification universally and frequently, to be more protective of individual rights and less reliant on people knowing their own rights. Other comments asserted that the provision was unclear and did not sufficiently tell members when this notification would be required, suggesting it would not be appropriate in all circumstances.

The Bureau recognized that the First Universal Review draft provision was too broad and would limit officer discretion and potentially hinder interactions. Of note, Bureau policy serves as a floor for expectations of Bureau members, aiming to address minimum requirements. Accordingly, the Bureau modified language to clarify and establish a hardline rule, rather than impose a new, sweeping expectation.

Finally, one comment pointed out that proposed language in the procedural justice directive regarding officers identifying themselves was inconsistent with a new proposed change to Directive 0312.50, Identification. The Bureau reconciled that difference in Directive 0312.50, Identification, maintaining the affirmative duty to offer business cards. At the time of this writing, Directive 0312.50 is still in draft form and awaiting signing and enactment.

The New Directive

Directive 0025.00, Procedural Justice, aims to inform Bureau and community members about procedural justice and offer Bureau members simple, actionable guidance in furtherance of the concept. The directive emphasizes officer identification procedures – a priority conveyed in the PCCEP’s recommendation. The directive also includes a detailed definition of procedural justice, rules members are required to follow, and examples of suggested actions that support procedural justice.

Conclusion

The Bureau introduces Directive 0025.00, Procedural Justice, to formalize a well-established concept that is used in Bureau training.

The Bureau welcomes further feedback on this directive during its next review.

This directive goes into effect December 15, 2022. Published on November 17, 2022.

0025.00, Procedural Justice

Refer:

- DIR 0310.00, Professional Conduct and Courtesy
- DIR 0310.50, Truthfulness
- DIR 0312.50, Identification Policy
- DIR 0315.30, Satisfactory Performance
- DIR 0344.05, Bias-Based Policing/Profiling Prohibited
- DIR 0900.00, General Reporting Guidelines

Definitions:

- **Police Action:** Any circumstance, on or off duty, in which a sworn member exercises or attempts to exercise police authority. This includes, but is not limited to, stops, searches, arrests, and use of force.
- **Procedural Justice:** The idea of fairness in processes, recognizing that a person's perception of fairness is strongly impacted by the quality of their experiences and not only the end result of those experiences. The four principles of Procedural Justice are: Voice, Neutrality, Respect, and Trustworthiness.
 - **Voice:** Give people an opportunity to share their perspective and be heard.
 - **Neutrality:** Make un-biased decisions guided by consistent and transparent reasoning.
 - **Respect:** Treat people with dignity and courtesy, and act professionally.
 - **Trustworthiness:** Be sincere and explain your actions with empathy.

Policy:

1. The Portland Police Bureau is committed to practicing procedural justice. Procedural justice and community policing work together to build public trust and increase police legitimacy.
2. It is important for members to recognize that a person's perception of fairness is critical to practicing procedural justice. Individual perceptions of fairness can either increase or decrease community trust in the police. Procedural justice establishes principles that help police strive for perceived fairness. The principles of procedural justice are Voice, Neutrality, Respect, and Trustworthiness. Embracing these principles is key to the public perceiving police actions as legitimate. Giving people a chance to speak, applying law and policy neutrally, respecting people, and demonstrating trustworthiness are important to building public trust and confidence in policing.
3. Procedural justice is equally important to internal legitimacy. The Bureau is dedicated to treating members with fairness and respect, creating meaningful and transparent paths for career advancement, maintaining and improving upon a fair accountability system, and seeking member input on policy, procedure, and practice.

Procedure:

1. Procedural Justice Requirements.

1.1. When taking police action and if practical, safe, and tactically feasible, members shall:

- 1.1.1. Follow Directive 0312.50, Identification, regarding identifying themselves and offering their business card;
- 1.1.2. Provide their Department of Public Safety Standards and Training (DPSST) number upon request;
- 1.1.3. Explain to the person the reason for the contact, unless it would compromise the investigation;
- 1.1.4. Tell the person whether or not they are free to leave, when asked; and
- 1.1.5. Attempt to provide clear and intelligible instruction to the person to ensure the safety of all involved.

2. Procedural Justice Practices.

2.1. Members should strive to practice procedural justice in all interactions with the public.

Examples of procedural justice practices include, but are not limited to:

- 2.1.1. Offering people an opportunity to ask questions.
- 2.1.2. Explaining laws, policies, actions, etc.
- 2.1.3. Patient, active listening.
- 2.1.4. Gathering all facts available.
- 2.1.5. Listening before forming conclusions.
- 2.1.6. Showing empathy.
- 2.1.7. Following up and following through.

Effective: 12/15/2022

Next Review: 12/15/2023

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, March 22, 2022 2:08:05 PM
Last Modified: Tuesday, March 22, 2022 2:12:21 PM
Time Spent: 00:04:15

Page 1

Q1

Please provide feedback for this directive

UK college of Policing teaches the 5 step Appeal to conflict management, it may fit within this.
<https://www.college.police.uk/guidance/conflict-management/conflict-management-skills>

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, March 22, 2022 8:51:43 PM
Last Modified: Tuesday, March 22, 2022 9:01:58 PM
Time Spent: 00:10:15

Page 1

Q1

Please provide feedback for this directive

I'm so grateful for all PPB officers do in my neighborhood. This seems in alignment with the professionalism that I see PPB display. I like the idea of keeping interactions/ stops brief, we don't have enough police to go around right now.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Erin**

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, March 23, 2022 8:42:23 AM
Last Modified: Wednesday, March 23, 2022 9:00:48 AM
Time Spent: 00:18:25

Page 1

Q1

Please provide feedback for this directive

"Policy" Section #2:

The underpinning of procedural justice is providing a "perception" of a fair process. It seems like it may be worth noting that an individuals "perception" of the process being unfair may not necessarily mean that the process was actually unfair or that the bureau member did not properly implement procedural justice in an encounter.

Police Bureau members have no control over another persons "Perception" of fairness. Certainly there are things that can be done by the member to try to help a persons perception of fairness as are documented in this policy but none of this guarantees a person will perceive an interaction as fair no matter how well this is done.

I also have concerns about the reporting requirement outlined in the policy. The Police Bureau already has a policy requiring reporting when not providing a name or business card. This makes sense because in these circumstances a citizen is requesting and an officer is possibly refusing and thus could require documentation.

But in practicality the requirement to document "any significant deviations from these principles" is overly vague to the point where it will be left completely to a person's interpretation of what "significant" is and also provides no guidance as to what the expectation actually is.

Words like "endeavor" only contribute to the vagueness. Does this mean an officer only has to "try" to do this. What does that mean. How much action is required to "endeavor"?

What is the purpose of writing a report documenting any deviations? Will this be tracked somehow? Are there concerns of civil litigation due to not providing procedurally just policing and the documentation will support the city in this litigation? Is the perception that somehow by having officers document if they don't do these things that it will cause them to do them more if they are already not doing them?

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, March 23, 2022 11:14:19 AM
Last Modified: Wednesday, March 23, 2022 11:23:28 AM
Time Spent: 00:09:09

Page 1

Q1

Please provide feedback for this directive

Neutrality has been switched to Impartiality. I am not sure if this was purposeful, but it does not align with the initial training given to Officers. Unless there is a specific, significant reason for this change I would suggest keeping it as Neutrality.

"Such de-escalation measures as using verbal techniques to introduce calm the interaction." This sentence is not written correctly.

Although I see how procedural justice is related to de-escalation, it seems redundant to have this discussion within the Procedural Justice directive. De-escalation is discussed elsewhere in directives and including here does not add further illumination to the topic.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, March 23, 2022 1:42:15 PM
Last Modified: Wednesday, March 23, 2022 1:45:36 PM
Time Spent: 00:03:21

Page 1

Q1

Please provide feedback for this directive

With regard to the "Four Principles of Procedural Justice.

- 1.1. Bureau members shall, when possible, demonstrate the following principles of procedural justice during encounters with members of the public:
 - 1.1.1. Respect: Treat individuals with dignity and act with professionalism and courtesy during the interaction.
 - 1.1.2. Voice: Give individuals an opportunity to ask questions and explain their actions.
 - 1.1.3. Impartiality: Treat individuals fairly and make clear and neutral decisions based on the available relevant information.
 - 1.1.4. Trustworthiness: Provide transparent and reliable information during the interaction."

Instead, list it as it reads in the literature and how the Bureau has been trained.

- 1.1.1 Voice
 - 1.1.2 Neutrality (Impartiality can and should be switched in the descriptive subheader with neutrality)
 - 1.1.3 Respect
 - 1.1.4 Trustworthiness
-

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#6

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, March 24, 2022 3:04:23 PM
Last Modified: Thursday, March 24, 2022 3:39:52 PM
Time Spent: 00:35:29

Page 1

Q1

Please provide feedback for this directive

PJ definition- should not have the word "policing" within the definition. PJ speaks to the idea of fair processes, and how people's perception of fairness is strongly impacted by the quality of their experiences and not only the end result of these experiences. Policing should seek to achieve its mission using PJ, not be part of PJ.

Policy:2 incorporate:

Individuals' perceptions of procedurally just encounters are based on four central features of their interactions with legal authorities:

Whether they were given voice;

Whether the decision-maker was neutral and transparent;

Whether they were treated with dignity and respect; and

Whether the decision-maker conveyed trustworthy motives.

Policy 2. Incorporate a combination of the VNRT explanations;

Voice—people need to have the chance to tell their side of the story and to feel that authority figures will listen and sincerely consider this before making a decision.

Neutrality—people need to see authority figures as neutral and principled decision-makers, who apply rules consistently, transparently and do not base their decisions on personal opinion or bias.

Respect—people need to feel respected and treated courteously by authority figures, believe their rights are considered equal to those of others and that their issues will be taken seriously.

Trustworthy—people need to see authority figures as people with trustworthy motives, who are sincere and authentic, who listen and care and who try to do what is right for everyone involved.

Policy 2. could read something like; PPB members will strive, during all interactions with members of our community, to allow individuals a chance to tell their side of the story and to feel that authority figures will listen and sincerely consider this before making a decision...etc.

Procedure:

Align the current draft; Respect, Voice, Impartiality and Trustworthiness. Change to VNRT = Voice, Neutrality, Respect and Trustworthiness. PPB has spent the last few years teaching VNRT and having members become accustomed to using this language.

Procedure:

2.1. Members shall...following procedurally just actions when taking police action. Remove "performing a stop or taking other" and just state, "taking police action".

2.1.3. Change; "as soon as practicable" to "If feasible"

2.1.5. Change; "Continue" to "When reasonable and practicable"

3. De-escalation seems out of place for PJ policy.

3.1.1 possibly include: How can procedural justice be put into practice?

Specific examples are as follows:

-offering people the chance to ask questions and responding appropriately to these questions

-explaining how processes work and why

-explaining how decisions are made before a procedure starts and what is considered

-making sure people have a chance to 'tell their story'

-explaining reasons behind decisions

-making a conscious effort to be approachable

-encouraging people in their efforts to change and succeed

-asking how procedures and treatment could be developed.

Definitions to consider:

Voice: Individuals are given a chance to express their concerns and participate in decision-making processes by telling their side of the story

Neutrality: Decisions are unbiased and guided by consistent and transparent reasoning

Respect: All individuals are treated with dignity and respect

Trustworthiness: Decision-makers convey trustworthy motives and concern about the well-being of those impacted by their decisions

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name

Todd Tackett

#7

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, March 27, 2022 1:44:52 PM
Last Modified: Sunday, March 27, 2022 1:45:53 PM
Time Spent: 00:01:01

Page 1

Q1

Please provide feedback for this directive

- Policy, item 2: "Conveying truthfulness" is interesting, because it is totally possible to be untruthful but "convey" truthfulness. Consider being clear that truthfulness is a base expectation; conveying honesty or truthfulness is a secondary consideration that is in part achieved through being truthful.
 - I wonder if the procedures need to be broadened or expanded with clarification that adhering to Procedural Justice is especially important in cases where individuals are coming from a place of distrust. E.g. an anti-police activist might be using their voice to say disrespectful things. It is important that officers are treating those individuals with a high level of respect and maintaining impartiality.
 - One aspect of voice that could be expanded on is giving individuals an opportunity to easily provide feedback after an encounter has occurred. Individuals won't always be comfortable using their voice in an encounter, or might realize they want to say something later. This could be accomplished with a QR code on a card, URL on a card with an incident ID, or similar. Someday in the future, that feedback could be tied back to the video recording for supervisor review, if needed.
 - I've been impressed with PPB's approach to Procedural Justice, and I'm very glad to see this becoming policy.
-

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#8

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, March 29, 2022 12:33:45 PM
Last Modified: Tuesday, March 29, 2022 12:40:05 PM
Time Spent: 00:06:19

Page 1

Q1

Please provide feedback for this directive

Definition:

I suggest using a broader definition that reflects the fact that Procedural Justice is not a police-specific theory. Rather, it has been employed in any number of circumstances and professions. This definition could be similar to: "the idea of fair processes, and how people's perception of fairness is strongly impacted by the quality of their experiences and not only the end result of these experiences" which is used by Yale Law School.

Policy:

2

I believe the apostrophe in "member's" should be removed.

Procedure:

1.1

We should replace "Impartiality" with "Neutrality" and reorder the four principles to be: Voice, Neutrality, Respect, Trustworthiness. This will bring the policy in line with training the Bureau has given to members for the past several years and avoids unnecessary confusion.

2.1

Please define: "other police action" as this will help clarify under what circumstances the following actions are required.

2.1.4

I believe this section should be clarified to include when during an interaction the member must make this notification. As soon as the member contacts any person? When contacting the subject of an investigation? When asked? When reasonable suspicion is established? When probable cause is reached?

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Jackson Oldham**

#9

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, April 01, 2022 10:22:49 AM
Last Modified: Friday, April 01, 2022 10:27:11 AM
Time Spent: 00:04:21

Page 1

Q1

Please provide feedback for this directive

Section 3.1.2

Mental impairment - This seems redundant and already covered by the other categories. If it is something different, we should define it somewhere.

Mental health crisis - we might want to refer back to the definition in 850.20.

Developmental disability - often times "intellectual and developmental disability are used together. Is this term defined anywhere else? I can't recall at the moment.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Liesbeth Gerritsen**

#10

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, April 03, 2022 6:04:20 PM
Last Modified: Sunday, April 03, 2022 6:05:52 PM
Time Spent: 00:01:31

Page 1

Q1

Please provide feedback for this directive

In section 2.1.4 - Can we add some terminology such as "When requested" prior to "Inform the individual..."

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#11

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, April 20, 2022 4:52:35 PM
Last Modified: Wednesday, April 20, 2022 4:52:59 PM
Time Spent: 00:00:24

Page 1

Q1

Please provide feedback for this directive

0025.00 Directive Feedback (1UR - NEW)

COMMENTS ON FORCE, MEDICAL AND PROCEDURAL JUSTICE DIRECTIVES, APRIL 2022

To Chief Lovell, Capt. Parman, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Portland Committee on Community Engaged Policing, US Dept. of Justice, Citizen Review Committee and the Portland Police Bureau:

Below are comments from Portland Copwatch (PCW) on the Directives posted for review in mid March which focus on force, medical aid and procedural justice < <http://www.portlandoregon.gov/police/59757> >. The Force policy (1010.00) was split up to once again remove "Less Lethal" Weapons (now 1015.00, was 1050.00), after being integrated just five years ago in 2017. Force reporting now has its own policy (910.00). Parts of the Force policy about medical aid were moved into the specific Directive on that topic (630.50). We made comments on the Force policy in January 2021. The procedural justice policy is new.

We note up front that, although we only found it in once place, the Bureau has finally heeded our advice to distinguish between de-escalation prior to using force and lowering the amount of force being used on a person. The latter is now referred to as "reactive de-escalation." However this distinction has not been added to the Definitions section of Directive 1010.00.

We also noticed there are fewer references to weapons as "tools" in these directives, with the exception of the definition of "Less Lethal Weapon" in three policies and one other use in 1015.00. As we have noted before "these items are all designed to kill, harm, wound, or physically coerce people to follow police orders, not items used to open paint cans or build shelters for houseless people."

Unfortunately, the major revisions to 1010.00 almost make the redline version meaningless for purposes of comparison. Entire sections are crossed out but reappear in other places in that Directive, and the parts that were moved to new Directives show no indication where changes were made since those policies are being treated as "new." That said, after laborious line-by-line comparisons, PCW is re-stating many of its previous comments and adding new ones based on significant changes being proposed.

As usual, we ask the Bureau to give different labels to all of the major sections of the Directives, such as the Definitions, Policy and Procedure sections. Our comments refer to the Procedure section unless otherwise noted.

DIRECTIVE 25.00 PROCEDURAL JUSTICE (new)

Portland Copwatch appreciates the Bureau seeking to infuse procedural justice, defined here as "engaging people respectfully and policing in a neutral and trustworthy manner," into all Bureau actions.

Know Your Rights: It is great that the Directive tells officers to inform people whether or not they can leave (2.1.4) so they know if officers are engaging in mere conversation, a stop, a detention or an arrest. There should also be an admonition not to demean people who choose to walk away when allowed, or if the person asks the officer whether they are free to go. Given the Bureau's pledge to advise people of their right to refuse a search, that right should also be added to the Directive.

CONCLUSION

Portland Copwatch appreciates that all of these Directives are being given a full 30 days for review, but still would like to see review periods extended to allow for groups who only meet once a month to give input during the Bureau's time frame. The Bureau would also benefit from holding public meetings to discuss the intent behind proposed changes and to take questions about community ideas for improvements to policies. We wrote previously: "Frequently when there are references to comments made but not acted upon, the answers are unsatisfactory and dismissive; we should be able to engage in a dialogue to help move the Bureau more toward one that is free from brutality, corruption and racism."

--dan handelman and other members of
Portland Copwatch

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name

Portland Copwatch

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, July 15, 2022 8:27:19 AM
Last Modified: Friday, July 15, 2022 8:28:07 AM
Time Spent: 00:00:47

Page 1

Q1

Please provide feedback for this directive

This particular document is especially difficult to read because it's watermarked with "Draft" in darker gray lettering than is used on others.

Previous versions included an instruction that officers are to "inform the individual of their ability to leave or withdraw from the interaction" when interacting with people. That instruction has been changed to read, "When asked, tell the person whether or not they are free to leave, if feasible." The change puts more responsibility on individuals to know their legal rights in detail. This is part of a trend giving police officers more opportunities to take advantage of anyone without a law degree, along with the recent U.S. Supreme Court decision that police are not obligated to inform people of their right to not self-incriminate.

The new version also eliminates an instruction to keep pedestrian and traffic stops to a reasonable amount of time and certain reporting requirements. The changes effectively loosen restrictions on stop-and-frisk techniques.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, July 15, 2022 3:25:23 PM
Last Modified: Friday, July 15, 2022 3:25:43 PM
Time Spent: 00:00:19

Page 1

Q1

Please provide feedback for this directive

COMMENTS on Vehicle Pursuit, Mental Health and Procedural Justice Directives, July 2022

COMMENTS ON VEHICLE PURSUIT, MENTAL HEALTH AND PROCEDURAL JUSTICE DIRECTIVES, JULY 2022

To Chief Lovell, Inspector Buckley, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Portland Committee on Community Engaged Policing, Mayor/Police Commissioner Wheeler, US Dept. of Justice, Citizen Review Committee and the Portland Police Bureau:

Below are our comments on the Directives posted for review on in July . With the exception of the Vehicle Interventions and Pursuits policy, which was last posted in 2018, these are all "Second Universal Reviews" which we commented on earlier this year.

We have asked that the Bureau release, during the First Universal Review, a list of known issues that are going to be addressed in the revisions. This would both alert community members to the appropriate parts of the Directives and make it so that Portland Copwatch can't claim victory when the Bureau was already planning to make changes we suggest. So it's a win-win.

While some of our previous suggestions have been incorporated, they were not necessarily made in ways that improve the policies, and are few in number.

It would greatly help the navigation of the hundreds of policies if the Bureau would give different labels to all of the sections of the Directives, such as the Definitions, Policy and Procedure sections so there are not multiple sections numbered "1." Our comments here refer to the Procedure section unless otherwise noted.

DIRECTIVE 25.00 PROCEDURAL JUSTICE (previous comments April 2022)

--Be Real and Trust Will Flow: The Bureau has changed its Definition of Procedural Justice from the one Portland Copwatch complimented in our previous comments. Rather than focus on officers "engaging people respectfully and policing in a neutral and trustworthy manner," the Definition now talks about people's "perception" of fairness, rather than the Police actually treating them fairly. While this may be a textbook definition, focusing on perception rather than genuine interactions makes the enterprise seem cynical.

--Know Your Rights Relaxed: The part of the Directive telling officers to inform people whether or not they can leave (1.1.4) has been changed from being initiated by the police to requiring someone to ask if they are free to go. This is unreasonable since community organizers can't necessarily teach all 650,000 people in Portland what their rights are. PCW also continues to believe there should be an admonition not to demean people who choose to walk away when allowed, or if the person actively asks the officer whether they are free to go.

--Stronger Requirement than Identification Policy: Section 1.1.1 says officers should follow Directive 312.50 "regarding identifying themselves and offering their business card." However the last draft of 312.50 removed the business card as a required part of the policy. We suggest fixing 312.50 and leaving this Section as it has been revised.

CONCLUSION

Chief Lovell made a comment at a meeting recently about how public comments have been incorporated to improve PPB policies. While it is nice to be acknowledged, the reality is that the Bureau has either ignored or mis-applied the vast majority of comments Portland Copwatch has made over the years. We continue to believe that direct dialogue about the changes during public meetings would lead to an improved process, improved outcomes, and improved trust. The PPB could better understand community members' concerns and explain its rationale for why things are written in a certain way. Given the requirement for advisory bodies such as the Citizen Review Committee, Portland Committee on Community Engaged Policing and Training Advisory Council to make policy

0025.00 Directive Feedback (2UR - NEW)

recommendations, holding these meetings in conjunction with those groups would make sense. Extending the deadlines to comment would also allow those groups, which only meet once every month or two, time to formulate meaningful feedback.

Finally, we once again call attention to the fact that a higher percentage of people in mental health crisis have been shot/shot at/killed by Portland Police officers since the implementation of the US Department of Justice Settlement Agreement. So while the policies focusing on this vulnerable part of the population are improving, they are still not fixing an underlying issue where force is relied on too heavily.

--dan handelman (and other members of)

--Portland Copwatch

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name

Portland Copwatch
